# **EXHIBIT B**

**EXHIBIT B** 

**From:** Trevor Smith < <u>trevor@smithteamcb.com</u>>

Subject: Re: 1000/1010 Holly - meeting?

Date: October 28, 2013 8:36:58 AM PDT

To: Jeff Hartman < ilh@bankruptcyreno.com >
Cc: Lenny Werbin < lwerbin@cypressequity.com >

1030 conference call?

M. Trevor Smith Broker CB Select Cell <u>775-815-4836</u> Sent from my iPhone

On Oct 28, 2013, at 7:18 AM, "Jeff Hartman" < <a href="mailto:lh@bankruptcyreno.com">jlh@bankruptcyreno.com</a>> wrote:

Just let me know what time.

#### Jeff Hartman

From: Trevor Smith [mailto:trevor@smithteamcb.com]

**Sent:** Saturday, October 26, 2013 9:56 AM **To:** Jeff Hartman (jlh@bankruptcyreno.com) **Cc:** Lenny Werbin (lwerbin@cypressequity.com)

Subject: 1000/1010 Holly - meeting?

Can Lenny and I meet with you on Monday late morning or early afternoon?

We would like to present status of repairs and other defects and also see if we can file an insurance claim for the damage as a result of improper winterization by the bank's preservation company.

Thanks,

M. Trevor Smith
Broker NV & CA, CRS/GRI, A-REO
Coldwell Banker Select
Direct 775-831-4834 / Efax 775-831-4833

### **Amy Tirre**

From: Lenny Werbin < lwerbin@cypressequity.com>

Sent: Thursday, May 29, 2014 8:30 PM
To: Amy Tirre; Cassell Von Baeyer

Subject: Fwd:

## Begin forwarded message:

From: Lenny Werbin < <a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>>

Subject: Fwd:

Date: October 26, 2013 9:24:26 PM PDT

**To:** Jeff Hartman < <u>ilh@bankruptcyreno.com</u>> **Cc:** Trevor Smith < <u>Trevor@SmithTeamCB.com</u>>

This is the fire sprinkler system that was not winterized. Most likely the pump will need to be replaced. It is the last of the four water systems that needs to be turned on in the house. The cold, hot and hydronics water are now flowing. Yesterdays pictures show the damage that was created by the improper winterization. The plumber needed to replace a small pump and small holding tank (both around \$100 or less.) to get the hot water to flow today. The plumber will tackle getting the water through the sprinkle system Monday. Will send pictures if there is more interior damage due to broken pipes in that system. Once all the water systems are on , Cary from Gibson Plumbing will provide a estimate for repairs. The emergency turn on was done primarily by Gibson Plumbing. McGee Plumbing provided the back flow test that the utility company required to turn the water on. They also helped with some of the broken pipe repairs when the system got pressurized. Lakeside glass removed three large mirror panels to get to the broken pipes behind them. Two survived and one broke. Bruce from Pool Boy managed to safely fill the pool up. Apparently the folks that winterized the pool system did not drain the pool filters and heaters. There will also be small bill coming through from cleaners who will try to get the stains out the toilets that were also not winterized properly.

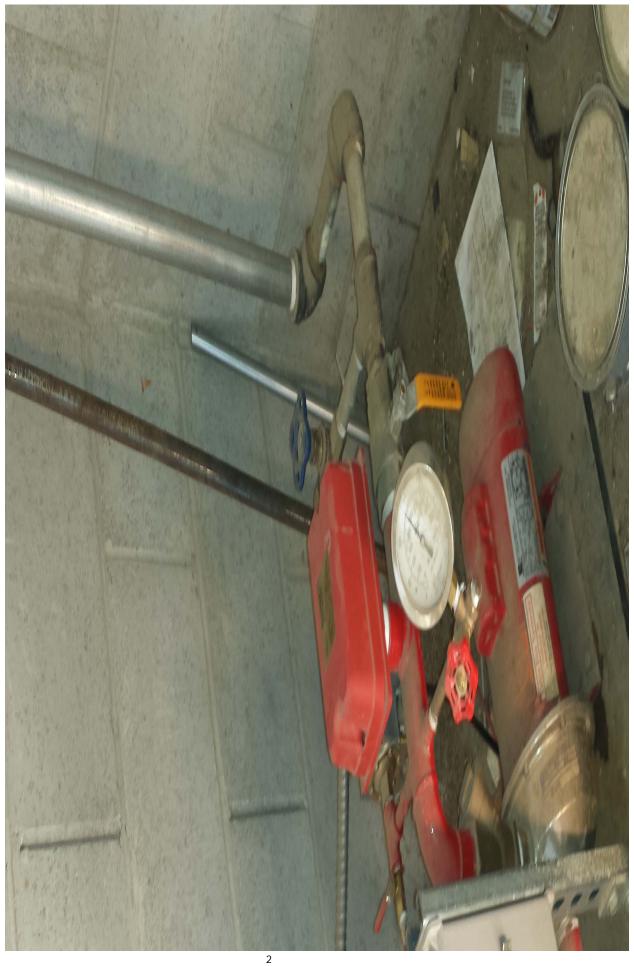
Begin forwarded message:

From: Lenny Werbin < <a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>>

Date: October 26, 2013 8:10:39 PM PDT

To: Lenny Werbin < <a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>>

Reply-To: Lenny Werbin < <a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>>



# **Amy Tirre**

From: Lenny Werbin < lwerbin@cypresseguity.com>

Sent: Thursday, May 29, 2014 8:30 PM
To: Amy Tirre; Cassell Von Baeyer

Subject: Fwd: Appliances- Holly

## Begin forwarded message:

From: Lenny Werbin < <a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>>

Subject: Fwd: Appliances- Holly

Date: October 29, 2013 2:18:15 PM PDT

**To:** Jeff Hartman < <u>ilh@bankruptcyreno.com</u>> **Cc:** Trevor Smith < Trevor@SmithTeamCB.com>

Hi Jeff,

This is a list of the appliances that were taken out of 1000 Holly. Replacement cost will mostly likely be higher. I'll try to get a current replacement estimate. I will also get a bid on the interior repairs as soon as the sprinkler system is on.

I left this morning for LA and am back home now. . I stopped by the house early this morning and found another leak in the entry way and got it fixed today. Photo will follow. The next step is to get the sprinkler system pressurized once the pump is installed. I hired a manager for the property that will keep a close watch on the property while the plumbing systems stabilize. He will check it day and night.

I met with TRPA and from what i understand, the BMP final may have to be done before we will be able to close 1010. Some how 1010 and 1000 Holly are tied together. I sent you a bid from my excavator who can do all of the work. I can get another bid if you like. AJ probably has a \$3500 refundable deposit. He will get it back once the work is competed and is finaled by the TRPA.

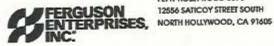
I understand Trevor sent you a month to month lease form. I would like to get that executed as soon as possible. I'll make sure the property is well taken care of and will be able to supervise the repairs. My escrow on my South Shore house is scheduled to close November 18th. If possible i would like to close Holly at the same time or soon after. I have a 1031 exchange. I'm working on the TRPA issues for 1010 Holly with Clint Shue and would like to close 1010 as soon as possible too.

Regards, Lenny Begin forwarded message:

From: Nancy Werbin < n.werbin@hotmail.com >

Subject: Appliances- Holly
Date: October 29, 2013 1:50:01 PM PDT

To: Lenny Werbin < <a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>>



\*\*\*\*\*\*\*\*\*

FEI N HOLLYWOOD #696 12556 SATICOY STREET SOUTH

Deliver To: RICK/ERIC Christine Thomas-Socha From:

Comments: HI GUTS .. I VERIFTD ALL PRODUCTS BETWEEN YOU BOTH .. SO HERES THE FINAL WITH

ALL THE DOORS IN S/S . THANKS SO MUCH

16:26:10 JAN 29 2002

FERGUSON ENTERPRISES, INC. FEIN HOLLYWOOD #601 Price Quotation

> Phone: 818-982-6710 Fax: 818-982-1838

Page#1

Bid No.....: 841734

Bid Date ....: 01/29/02 Quoted By .: CLS

Cust Phone: 775-588-2262 Terms...... NET 10TH PROX

Customer: GARDNER ENTERPRISES, LLC

\*VILLALOBOS RESIDENCE\* PO BOX 2194 STATELINE, NV 89449

Ship To: GARDNER ENTERPRISES, LLC "VILLALOBOS RESIDENCE"

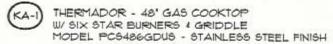
PO BOX 2194 STATEUNE, NV 89449

Cust PO#...:

Job Name: VILLALOBOS RESIDENCE

llem	Description	Quantity	Net Price	UM	Total	
S601RSLH	36 LH BI 20CF REFRIG ONLY - SS	1	3842.000	EA	3842.00	
S601FSRH	36 RH BI 19.3CF FREIZER - SS	1	3955.000	EA	3955.00	
\$700BR	27 4.9CF REFRIG ONLY	3	2668.000	EA	8004.00	
SP-SEP784DSS	SUB ZERO SS DOOR PANELS	3	625.000	EA	1875.00	
5249RPRH	24 4.9CF RH UC REFRIG ONLY	2	904.000	EA.	1808.00	
SP-SEP24955	*SUBTERO SS FRNT PNL FOR 249 SERIES	2	98.890	EA	197.78	
S427GRH	27 WINE COLR W/ RH GLS DR	3	3882.000	EA	11646.00	
SP-SEP4480GUH	SURZERO-4" TOE KICK LT HINGE NO LCK	1	1140.000	EA.	1140.00	
SP-SFP4480GRH	SUB ZERO SS 4" TOF KICK NO LOCK RH	3	670,600	EA	2011.80	
SS61S	SS 36 SXS REFRIG	1	5085.000	EA	5085.00	
53013 RSHU9915UC	SS 4 PROGRAM INTEG DW	2	817.740	EA.	1635.48	
MWTV313	WSHR / DRVER STACK KIT F/W1926	3	110.000	EA	330.00	
	WHIT PH WSHR	3	1699,000	EA	5097.00	
MW1930R	WHIT RH VENT DRYER	3	1199.000	EA	3597.00	
MT1520R	THERMADOR	7.56				
	THE RIVERS					
TPCS/86GDUS	SS 48 6 BRNR GAS CKTP & GRIDDLE	1	2319.000	EA	2319.00	
TGPS48/TS	ELAND TRIM F/ 48 CKTP	1	49.000	EA	49.00	
TPRIOVS	SS 30 INDR 88Q GRILL	1	1579.000	EA	1579.00	
II CITTOR CARGO	SS 27 CONV OVEN WRMR MWAVE COMB	1	2899.000	EA	2899.00	
TSMW272YP	PRO-HANDLE					
	SS 30 SGL CONV OVEN W/ SS PROF HDL	1	1769,000	EA	1769.00	
TSC301TP		1	819,000	EA	819.00	
TWD30XP		3	2242.800	EA	6728.40	
SP-MB25/1GOLD	MYSON GOLD HYDRONIC TOWEL WARMER	3	2242.000	-	A STATE OF THE PARTY OF THE PAR	
		Net To		otal: 66386		
	,		Tax:		4481.08	
			Total:		70867.54	

#### KITCHEN APPLIANCES



KA-2 THERMADOR - 30" INDOOR GRILL MODEL PB30YS - STAINLESS STEEL FINISH

THERMADOR - 21' STAINLESS STEEL TRIPLE OVEN W PROFESSIONAL HANDLES MODEL SMW272P - CONVECTION

THERMADOR - 30° STAINLESS STEEL SINGLE OVEN W/ PROFESSIONAL HANDLES MODEL SC301T6 - CONVECTION

(KA-5) THERMADOR 30' WARMING DRAWER
W/ PROFESSIONAL HANDLE
MODEL WD30XS - STAINLESS STEEL FINISH

SUB-ZERO - 60/R REFRIGERATOR STAINLESS STEEL FINISH

SUB-ZERO - 60F FREEZER STAINLESS STEEL FINISH

SUB-ZERO - REFRIGERATION DRAILER 100BR

(KA-9) SUB-ZERO - FREEZER DRAWER 100BF STAINLESS STEEL FINISH

9UB-ZERO - 245 REFRIGERATOR/FREEZER STAINLESS STEEL FINISH

SUB-ZERO - 421 WINE STORAGE STAINLESS STEEL FINISH

SUB-ZERO - 561 REFRIGERATOR/ FREEZER

BOSCH - DISHWASHER SHU SSIS UC STAINLESS STEEL FINISH

MIELE - NOVOTRONIC W 1930 WASHING MACHINE W/ WTZ320 STACKING KIT - WHITE FINISH

MIELE - T 1520 VENTED DRYER - WHITE FINISH

#### MISCELLANEOUS

M-1 MYSON - TOWEL WARMER B25/I GOLD FINISH From: Trevor Smith <a href="mailto:trevor@smithteamcb.com">trevor@smithteamcb.com</a>

Subject: 1000 Holly - Summary of Required Repairs

Date: November 14, 2013 10:54:29 AM PST

To: "Jeff Hartman (jlh@bankruptcyreno.com)" <jlh@bankruptcyreno.com>

Cc: Michelle Foster <michelle@smithteamcb.com>

#### Jeff-

As you know, the winterization of 1000 Holly was done improperly with numerous areas of defects requiring repair or replacement were required per the summary below. In addition, the appliances in the kitchen and the flooring in the gym were stolen after the bank's preservation company secured the property. Our buyer would like the bank to credit him for all of the attached items or make an insurance claim for reimbursement. Below is a summary and please see the attached for detailed bids. In addition, the contractors that have provided these bids will sign affidavits, as needed, that these repairs are necessary and are a result of improper winterization by the bank's preservation company. Please also note that the cabinet alterations below is required as the same appliances will not fit as the manufacturer has made changes to the same models since the original installation. Additionally, please note that most of these estimates also do not include additional electrical work or additional hidden defects that will likely be encountered when the repairs below are ordered.

Appliances	\$96,387.61
Dehumidifiers	\$ 2,500.00
HVAC	\$16,504.88
Pool - improper win	terization
repairs	\$ 1,855.00
Pool- heaters for po	ool & spa \$ 4,975.00
Plumbing repairs	\$ 3,939.03
Mirror removal	\$ 258.00
Carpet - Gym Floor	\$30,307.65
<b>Cabinet Alterations</b>	\$ 5,000.00
A/C repairs	\$ 1,615.00
Total Cost	\$163,342.17

Please let me know if you have any questions.

M. Trevor Smith
Broker NV & CA, CRS/GRI, A-REO
Coldwell Banker Select
Direct 775-831-4834 / Efax 775-831-4833

From: Trevor Smith < <a href="mailto:trevor@smithteamcb.com">trevor@smithteamcb.com</a> Subject: 1000 Holly - Revised contractor bid Date: November 26, 2013 2:31:17 PM PST

**To:** "Jeff Hartman (<u>jlh@bankruptcyreno.com</u>)" <<u>jlh@bankruptcyreno.com</u>>, "Lenny Werbin (<u>lwerbin@cypressequity.com</u>)" <<u>lwerbin@cypressequity.com</u>>

I have removed the appliances, flooring and cabinet repairs from this estimate after discussion with AJ.

Jeff, can you please get a copy of this to AJ.

Thanks,

M. Trevor Smith

Broker NV & CA, CRS/GRI, A-REO

Coldwell Banker Select

Direct 775-831-4834 / Efax 775-831-4833

From: Trevor Smith <a href="mailto:trevor@smithteamcb.com">trevor@smithteamcb.com</a>

Subject: RE: 1000 Holly

**Date:** December 10, 2013 1:25:52 PM PST **To:** Jeff Hartman < jlh@bankruptcyreno.com>

Cc: Heather Christiansen < Heather@smithteamcb.com >, "Terrill, Angela M.

(ATerrill@firstam.com)" <ATerrill@firstam.com>

Many thanks! Per our conversation you instructed me not to negotiate the price at this time with the bank. I am authorized to get short sale approval for the currently accepted offer. The repairs and missing items will be handled as a separate matter, as agreed with you and AJ.

M. Trevor Smith
Broker NV & CA, CRS/GRI, A-REO
Coldwell Banker Select
Direct 775-831-4834 / Efax 775-831-4833

From: Jeff Hartman [mailto:jlh@bankruptcyreno.com]

Sent: Tuesday, December 10, 2013 1:16 PM

To: Trevor Smith Subject: 1000 Holly

Jeffrey L. Hartman, Esq. HARTMAN & HARTMAN 510 West Plumb Lane, Suite B Reno, NV 89509 Telephone: (775) 324-2800

Facsimile: (775) 324-1818 Email: <u>ilh@bankruptcyreno.com</u>

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From: Lenny Werbin < lwerbin@cypressequity.com>

Subject: Re: 1000 Holly

**Date:** January 16, 2014 6:16:45 PM PST **To:** Jeff Hartman < <u>ilh@bankruptcyreno.com</u>> **Cc:** Trevor Smith < <u>Trevor@SmithTeamCB.com</u>>

Will get them to email it to you tomorrow. Please check on bills for Mc Gee Plumbing, Lakeside Glass who were involved in the initial water turn on / pipe repairs, Pool Boy for pool service, GS Concepts who provided calculations for TRPA to get 1000 Holly in compliance and the latest gas and electric bills. I don't believe these bills were paid. Please let me know if your'e missing any of these bills.

Any progress in getting BBT insurance involved to pay the bills they should be responsible for? Let me know if you need any additional documentation.

On Jan 16, 2014, at 9:22 AM, Jeff Hartman wrote:

I would like an invoice please.

Jeff Hartman

----Original Message-----

From: Lenny Werbin [mailto:lwerbin@cypressequity.com]

Sent: Thursday, January 16, 2014 7:36 AM

To: Jeff Hartman Cc: Jan Chamberlain Subject: Re: 1000 Holly

Jeff, please send check for \$300 for clean up to:

John Chamberlain Construction PO BOX 47 Homewood , Calif, 96141 On Jan 7, 2014, at 8:33 AM, Jeff Hartman wrote:

I authorize having the carpet cleaned in those areas. Unless I hear otherwise, the amount is capped at \$300.

----Original Message-----

From: Lenny Werbin [mailto:lwerbin@cypressequity.com]

Sent: Monday, January 06, 2014 10:47 PM

To: Jeff Hartman Cc: Trevor Smith Subject: 1000 Holly

Hi jeff, I'm up in Tahoe to work through all issues to close 1000 and 1010 Holly on time. I'de like to meet with you and Trevor while I'm here when it's convenient for you. I' can come down to Reno.

I stopped by the house and found dog poop and urine stains on some of the carpets. I believe it was from AJ's grand daughters pets when they were staying at the house. They left a bed set up in one of the bedrooms and left some personal effects in the garage along with more urine stains and dog poop. Let me know if they are going to pick up their stuff or we need

to pay someone to remove it. I cleaned the dog poop up the best i could but the urine stains/smells need to be cleaned professionally. Can you authorize the cleaning? It shouldn't be that expensive and I can get a bid. I want to make sure it gets dealt with right away so the pet smells don't permeate the house.

Thanks, Lenny From: Lenny Werbin < <a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>>

Subject: Re: 1000 Holly

Date: March 14, 2014 11:22:06 AM PDT

To: Jeff Hartman < ilh@bankruptcyreno.com >, Stacy Hines

<srh@bankruptcyreno.com>

Cc: Trevor Smith < Trevor@SmithTeamCB.com>

Please make sure Applied mechanical invoice gets paid. On Jan 29, 2014, at 4:51 PM, Lenny Werbin wrote:

Jeff , there will be two more bills coming in this week. One from Applied Mechanical to get the dehumidifiers working and one from pool boy to get the pool heaters working. The good news is that the dehumidifier repair was minor and pool boy thinks he can get the heaters to operate enough to heat the the pool room until the insurance kicks in for possible replacements. Unfortunately and it was confirmed by AJ ,the only way to heat the pool room was to heat the pool with dehumidifiers in operation. These necessary expenses to protect the house should come back you since they were clearly caused by improper winterization. AJ was going to get the insurance claim going with Trevor as his agent . Trevor will make sure all of the money spent by you for improper winterization expenses will come back to you and repairs that i will be paying for will come back to me. Thanks, Lenny

From: Trevor Smith <a href="mailto:trevor@smithteamcb.com">trevor@smithteamcb.com</a>

Subject: FW: 1000 Holly

Date: March 17, 2014 2:54:54 PM PDT

To: "Lenny Werbin (Iwerbin@cypresseguity.com)"

<lwerbin@cypressequity.com>

Cc: Jeff Hartman < jlh@bankruptcyreno.com>

I spoke to Joe in customer service regarding the insurance claim for improper winterization. I have to call back to make the claim 8:30-5:15 PM EST to the insurance department at 866-940-2464.

Will let you know when the claim is filed.

M. Trevor Smith

Broker NV & CA, CRS/GRI, A-REO

Coldwell Banker Select

Direct 775-831-4834 / Efax 775-831-4833

www.Ttahoe.com / Trevor@SmithTeamCB.com

From: Jeff Hartman [mailto:jlh@bankruptcyreno.com]

Sent: Tuesday, February 18, 2014 1:51 PM

To: Trevor Smith Subject: 1000 Holly

Jeffrey L. Hartman, Esq. HARTMAN & HARTMAN 510 West Plumb Lane, Suite B Reno, NV 89509

Telephone: (775) 324-2800 Facsimile: (775) 324-1818 Email: <u>ilh@bankruptcyreno.com</u>

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**From:** Trevor Smith < <u>trevor@smithteamcb.com</u>>

Subject: RE: 1000 Holly insurance claim

Date: May 8, 2014 1:49:49 PM PDT

To: Jeff Hartman < <u>ilh@bankruptcyreno.com</u>>
Cc: "Lenny Werbin (lwerbin@cypressequity.com)"

<lwerbin@cypressequity.com>

Todd Tool is the independent adjuster for Integrity Adjusters, 916-708-8835 cell, email: ttuel@integrityadj.com

He is contacting Lenny and will be at the property today to do a solo inspection and will likely have to get outside contractors. I will assemble the bids and receipts with Lenny and submit them along with the title report (as he asked who owns the property) and the litigation plans and information along with sub contractors to make his job easier for this complex claim.

Unless I hear from Jeff or another attorney involved I will release the plans and sub contractor information we obatined from the litigation files at the end of the day. I think it is in everyone's best interest to cooperate fully with this adjuster to get this claim processed. If you disagree please let me know right away.

M. Trevor Smith
Broker NV & CA, CRS/GRI, A-REO
Coldwell Banker Select
Direct 775-831-4834 / Efax 775-831-4833
www.ttahoe.com / Facebook

From: Jeff Hartman [mailto:jlh@bankruptcyreno.com]

Sent: Wednesday, May 07, 2014 3:31 PM

To: Trevor Smith

Subject: RE: 1000 Holly insurance claim

**Thanks Trevor** 

**From:** Trevor Smith [mailto:trevor@smithteamcb.com]

**Sent:** Wednesday, May 07, 2014 2:42 PM

**To:** Lenny Werbin (<a href="mailto:lwerbin@cypressequity.com">lwerbin@cypressequity.com</a>); Jeff Hartman

Subject: 1000 Holly insurance claim

I was finally able to get to the right party to file the preservation winterization damage claim.

It is filed with American Security Group (ASG) at 800-358-0600 (direct # below)

Claim#: 00101543497

Adjuster: Integrity Adjusters (2-3 day timeframe)

Inhouse adjuster: Eric Peeples at 800-652-1262 ext 12843

Loss Date Discovery: October 1, 2013

I will coordinate with Lenny for bids and receipts for repairs already completed in addition to anything needed to complete repairs. Let me know if you have questions.

Thanks,

M. Trevor Smith

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www.ttahoe.com / Facebook